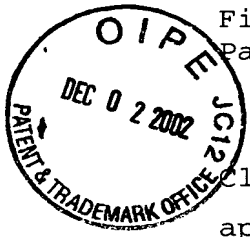


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Remarks

Claims 1-7, 14-16 and 42-51 were pending in the subject application. By this amendment applicants have cancelled claims 1-7, 14-16 and 42-51, and added new claims 79-93. Accordingly, claims 79-93 are currently pending.

Support for new claim 79-80 may be found inter alia in the specification as originally filed on page 15, lines 6-7.

Support for new claim 81 may be found inter alia in the specification as originally filed on page 3, lines 19-21.

Support for new claim 82 may be found inter alia in the specification as originally filed on page 3, lines 21-23.

Support for new claim 83 may be found inter alia in the specification as originally filed on page 7, lines 24-25.

Support for new claim 84-86 may be found inter alia in the specification as originally filed on page 10, lines 11-19.

Support for new claim 87 may be found inter alia in the specification as originally filed on page 3, lines 14-16.

Support for new claim 88 may be found inter alia in the specification as originally filed on page 7, lines 24-25.

Support for new claim 89 may be found inter alia in the specification as originally filed on page 3, lines 24-25.

Support for new claim 90 may be found inter alia in the

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specification as originally filed on page 23, lines 19-21.

Support for new claim 91 may be found inter alia in the specification as originally filed on page 3, lines 25-26.

Support for new claim 92 may be found inter alia in the specification as originally filed on page 24, lines 26-28.

Support for new claim 93 may be found inter alia in the specification as originally filed on page 24, lines 28-29.

#### **Restriction Requirement**

In the Restriction Requirement issued on October 2, 2002, the Examiner required restriction to one of the following allegedly distinct inventions as follows:

- I. Claims 1-7 and 14-16, drawn to an isolated nucleic acid molecule encoding an AGS protein, and vector and host cell comprising said nucleic acid molecule.
- II. Claims 42-46, 50 and 51, drawn to a method for modulating G protein coupled signal transduction in a cell comprising contacting a cell with an agent which modulates AGS protein activity, wherein the AGS protein activity is stimulated.
- III. Claims 42, 43 and 47-51, drawn to a method for modulating G protein coupled signal transduction in a cell comprising contacting a cell with an agent which modulates AGS protein activity, wherein the AGS protein activity is inhibited.

The Examiner alleged that Group I is related to Groups II and III as product and process of use. The Examiner further

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alleged Group I is distinct from Groups II and III because the nucleic acids of Group I can be used in processes that are materially different from those set forth in Groups II and III, such as in a hybridization assay, and the processes as claimed can be practiced with materially different products such as chemical modulators of AGS activity. The Examiner further alleged that Groups II and III are distinct because the inventions are not capable of use together as one is a method of stimulating and the other is a method of inhibiting the same cellular process. The Examiner further alleged that Groups II and III are functionally distinct for the same reason. The Examiner noted that claim 42 links Groups II and III. Thus, the restriction requirement between the linked inventions is subject to the nonallowance of the linking claim.

In response, applicants elect Group I for the purpose of preliminary examination.

Applicants note that new claims 79-93 are drawn to an isolated nucleic acid molecule encoding an AGS protein, a vector and host cell comprising the nucleic acid molecule, and a method for producing the molecule. Consequently, applicants contend that the new claims fall under Group I of the present restriction requirement.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the enclosed \$110.00 fee for a one-month

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extension of time, is deemed necessary in connection with the filing of this response. However, if any other fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.



Respectfully submitted,

*Gary J. Gershik*

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington, DC 20231

*Gary J. Gershik 11/26/02*  
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